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FACSIMILE COVER SHEET

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DATE: May 18, 2006

TO: Audrey Y. Chang and Drew Dunn

FAX #: 571.273.8300

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YOUR REF.: Application No. 10/779,963

OUR REF.: 3081.55-US-01

FROM: Paul C. Onderick

PHONE#: 612.349.5766

COMMENTS:

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### Applicant Initiated Interview Request Form

Application No. 101779,963 First Named Applicant: HÖLLER  
Examiner: AUDREY CHAN, PhD Art Unit: 2872 Status of Application NON FINAL  
Rejection

#### Tentative Participants:

(1) PAUL C. ONDRICK, DD. (2) DREW DUNN  
(3) AUDREY CHAN, PhD (4) \_\_\_\_\_

Proposed Date of Interview 5-23-2006 Proposed Time: 10:00 AM  
CST

#### Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ Yes ☐ No

If yes, provide brief description: \_\_\_\_\_

#### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig.#s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>1-30</u>	<u>35 USC 112 ¶ 1</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej.</u>	<u>1-30</u>	<u>FORELUSION, SPITZER, PRIGOVKA</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>Rej.</u>	<u>1,11,21</u>	<u>FORELUSION, SPITZER, BABA</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

#### Brief Description of Arguments to be Presented:

1) APPLICATION IS GRABLING.  
2) NO PRIMA FACIE CASE OF OBVIOUSNESS HAS BEEN MADE.  
BECAUSE THERE IS NO MOTIVATION TO COMBINE <sup>THE REFERENCE</sup> IN THIS WAY.

An interview was conducted on the above-identified application on \_\_\_\_\_

#### NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

\_\_\_\_\_  
(Applicant/Applicant's Representative Signature)

\_\_\_\_\_  
(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Telephone interview for Application number 10/779,963.

Scheduled for Wednesday, May 24, 2006 at 2:00 PM Eastern time (1:00 Central time).

Examiners Chang and Dunn, Applicant's Attorney Paul Onderick.

Issues to be addressed

1. Rejection under 35 USC 112 first paragraph. Applicant's position is that the application is enabling under the statute. Applicant's attorney will explain.
2. Rejection of claim 1-30 over Fergason, Spitzer and Piosenka. Applicant's position is that no prima facie case of obviousness has been made, at least because there is no motivation to combine in this way. Applicant's attorney will explain.
3. Rejection of claim 1, 4-7, 10, 11, 14-17 and 20 over Fergason, Spitzer and Baba. Applicant's position is that no prima facie case of obviousness has been made, at least because there is no motivation to combine in this way. Applicant's attorney will explain.